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October 2022 Council Meeting Summary

The Mid-Atlantic Fishery Management Council met October 4-6, 2022, in Dewey Beach, Delaware. This was a hybrid meeting, with virtual and in-person participation options. Presentations, briefing materials, motions, and webinar recordings are available at <http://www.mafmc.org/briefing/october-2022>.

HIGHLIGHTS

During this meeting, the Council:

- Approved for public comment a draft amendment to modify the species separation requirements in the Atlantic surfclam and ocean quahog fisheries
- Initiated an Omnibus (all Council-managed species) Essential Fish Habitat (EFH) Amendment
- Set 2023 spiny dogfish specifications including a 55% reduction in the Acceptable Biological Catch and a 59% reduction in the commercial quota, compared to 2022
- Received an update on private recreational tilefish permitting and reporting and discussed additional outreach needed to improve angler awareness and compliance
- Received an update on the East Coast Scenario Planning Initiative
- Met jointly with the Scientific and Statistical Committee to discuss topics of mutual interest
- Received presentations on NOAA Fisheries Draft Ropeless Roadmap Report, NEFSC Fishery Monitoring and Research Division Update, and NOAA Saltwater Recreational Fisheries Policy
- Received a refresher on the Surfclam and Ocean Quahog Excessive Shares Amendment
- Provided input on proposed actions and deliverables for the 2023 Implementation Plan (Executive Committee)
- Agreed with the Protected Resource Committee's recommendation to send a comment letter on the Proposed North Atlantic Right Whale Vessel Strike Reduction Rule
- Presented the 2021 Ricks E Savage Award to Mr. Steve Heins

Atlantic Surfclam and Ocean Quahog Species Separation Requirements Amendment

The Council approved for public comment a draft amendment to modify the species separation requirements in the Atlantic surfclam and ocean quahog fisheries. Comments may be submitted at any of three public hearings to be held on November 10, 14, and 17. Written comments will also be accepted through November 23. A hearing schedule and public comment instructions are available [here](#).

This action is intended to address the increased occurrence of mixed catches in the Atlantic surfclam and ocean quahog fisheries. Current regulations do not allow for surfclam and ocean quahog to be landed on the same trip or placed in the same cages. Industry has reported that it has become increasingly difficult to avoid mixed catches due to changes in the species' distributions. The draft amendment contains a range of management approaches ("alternatives") that would modify current regulations to allow for mixed catches onboard vessels. Details about these management alternatives can be found in the [Public Hearing Document](#).

Following a review of comments received, the Council will choose a preferred alternative and submit the amendment to the Secretary of Commerce for approval and publication of proposed and final rules, both of which have additional comment periods. The Council may consider final action at its [December 12-15, 2022](#) meeting.

Essential Fish Habitat Amendment

The Council initiated an Omnibus (all Council-managed species) Essential Fish Habitat (EFH) Amendment that will concurrently conduct the 5-year EFH review required under the Magnuson Stevens Act while amending fishery management plans for the Council, as needed. This action is an opportunity to utilize the best available fish habitat science to improve EFH designations and support the Council's fish habitat conservation efforts while supporting the EFH consultation process. The consultation process plays an important role in addressing the impacts of non-fishing projects (such as wind energy projects) on fish habitat.

Spiny Dogfish 2023 Specifications

Due to delays with the ongoing spiny dogfish research track assessment, the Council had to set 2023 spiny dogfish specifications without the benefit of a current assessment. The Council will consider the assessment results when they become available. The Council's Scientific and Statistical Committee (SSC) recommended an Acceptable Biological Catch (ABC) reduction from 17,498 metric tons (MT) to 7,788 MT, a 55.5% reduction. The SSC's rationale for the reduction included observations of declining trends in several indicators including survey abundance, catch per unit of effort (CPUE), pup production, and dogfish growth. After other sources of catches are accounted for (discards, recreational landings, and Canadian landings), the 2023 commercial quota (beginning May 1, 2023) would be 12.0 million pounds, a 59% reduction from 2022. The 2021 fishery landed about 10.4 million pounds, and the first half of the 2022 fishery has followed a similar weekly pattern as 2021. The Council discussed that these specifications involve a higher risk of overages due to the lack of a management uncertainty buffer and uncertainty about expected discards, but industry input indicated they were willing to risk future paybacks because a 2023 quota below 12 million pounds could lead to the closure of the last remaining spiny dogfish processing facility. The New England Fishery Management Council will consider its spiny dogfish recommendations in December 2022 for this jointly-managed stock.

Private Recreational Tilefish Permitting and Reporting

In August 2020, recreational permitting and reporting requirements were implemented for private tilefish anglers. During this meeting the Council received a presentation from the Greater Atlantic Regional Fisheries Office (GARFO) on the status of private recreational tilefish (golden and blueline) permitting and reporting. The [update](#) included information related to the number of permits issued, recreational trips, and landings reported since the requirements were initially implemented.

Council staff also gave a presentation on what outreach has been accomplished to date, provided a summary of the Joint Tilefish and Communication and Outreach Advisory Panel meeting, and a list of future outreach efforts. As a result of the presentations and subsequent discussion, the Council recommended additional outreach be conducted in Spring 2023 when offshore angler activity for golden and blueline tilefish recreational fishing increases. The goal of this outreach is to increase awareness of the tilefish permitting and reporting requirements, as well as to educate anglers on the reporting systems available to submit electronic vessel trip reports and the benefits of accurate reporting. Current outreach materials and other resources are available on the Council's Tilefish Permitting and Reporting Webpage.

Climate Change Scenario Planning

The Council received an update on the East Coast Scenario Planning Initiative. Since the August Council meeting, the core team has worked to refine the draft scenario narratives and begin the Applications Phase of the initiative. Three manager "brainstorming sessions" were recently held via webinar to generate ideas issues, ideas and options that should be discussed during the Applications Phase. At their respective upcoming November and December meetings, each East Coast Council and the ASMFC will develop ideas and recommendations from each management body. These ideas will feed into an in-person summit meeting to be held in February 2023. The summit meeting will serve as a venue to develop a final set of governance, management, and monitoring

recommendations from the scenario planning process. Additional updates will be posted to the [Climate Change Scenario Planning website](#) as they are available.

Joint Council-SSC Meeting

The Council and its Scientific and Statistical Committee (SSC) met jointly to discuss ongoing and planned SSC activities in support of Council priorities. The Council and SSC have been holding these joint meetings annually since 2019 to provide an opportunity to discuss pertinent issues and foster greater dialogue and build relationships between the Council and SSC given the limited interaction between the two groups. Three topics were discussed in detail: (1) the anticipated topics and issues the SSC will address in 2023, (2) an update of the ongoing work by the SSC Ecosystem Work Group in developing and utilizing integrated ecosystem-level indicators within existing or new Council processes, and (3) future engagement and activities of the SSC Economic Work Group. The Council also discussed potential changes to future joint meetings to ensure meetings remain productive and achieve the intended goals.

NOAA Fisheries Presentations

NOAA Fisheries Draft Ropeless Roadmap Report

Dr. Michael Asaro (NEFSC) provided an overview of the Draft Ropeless Roadmap which describes the current state of on-demand fishing and outlines a path for adoption of this technology in commercial fisheries. This roadmap is an important step towards reducing the risk of right whale entanglement in fishing gear. The technology involved in this on-demand or ropeless fishing is still in development, and public input is being sought at this time to help guide the future of the program. The Council discussed the capabilities of the current technology and where it is expected to progress in the future. They also discussed concerns over the current costs and the potential for gear conflicts.

NEFSC Fishery Monitoring and Research Division Update

KB McArdle (NEFSC) presented an update on activities at the Fishery Monitoring and Research Division. This Division focuses on the data collection and integration of information from Mid-Atlantic and New England commercial fisheries into the science and management process. They oversee programs such as the observer operations and training, dockside monitoring, the study fleet, and data modernization. The update included information on recent changes to the data review process to redistribute observer coverage, the planned 2022-2023 sea day coverage for the standardized bycatch reporting methodology, and current activities within the cooperative research program.

NOAA Saltwater Recreational Fisheries Policy

Russ Dunn (NOAA Fisheries) briefed the Council on plans to update NOAA's 2015 National Policy for Saltwater Recreational Fisheries. Goals of the current policy include supporting relevant natural resources, promoting saltwater fishing for the benefit of the nation, and enabling enduring participation through science-based conservation and management. NOAA Fisheries intends to update the Policy to ensure that it adapts with changing ocean and fishery conditions, scientific understanding, and the evolving needs of the fishing public. The public comment period is open through December 31, 2022. [Learn more here.](#)

Other Business

Excessive Shares Amendment Proposed Rule

The Council received a refresher on the history of the development of Amendment 20 to the Atlantic Surfclam and Ocean Quahog Fishery Management Plan. The Council initiated work on this action in 2004, and after many years of work and deliberations it approved the amendment for submission to NMFS in December 2019. The Council developed this action to limit the amount of surfclam or ocean quahog individual transferable quota share, or annual allocation in the form of cage tags, that an individual or their family members could hold. In addition,

this action will adjust the maximum duration of multi-year specifications actions to match the stock assessment schedule. NMFS published a [proposed rule](#) to implement Amendment 20 on August 24, 2022.

2023 Implementation Plan

The Executive Committee met to discuss the 2023 Implementation Plan. The Council develops Implementation Plans each year to ensure progress toward achieving the goals and objectives of its 5-year strategic plan. First, the Committee received a progress update on the 2022 Implementation Plan. The Committee then reviewed and provided feedback on a draft list of deliverables that had been developed by staff for 2023. The Executive Committee agreed to move an action to address sturgeon bycatch from “possible additions” to the proposed deliverables for 2023.

Proposed North Atlantic Right Whale Vessel Strike Reduction Rule

The Council received a report from the Protected Resources Committee and agreed with the Committee’s recommendation to send a comment letter on the [Proposed North Atlantic Right Whale Vessel Strike Reduction Rule](#) before the October 31 comment deadline. The comment letter will include the points discussed during the September 14 Protected Resources Committee meeting.

2021 Ricks E Savage Award

Mr. Stephen (Steve) Heins was named the 2021 recipient of the Ricks E Savage Award. The award is given each year to a person who has added value to the MAFMC process and management goals through significant scientific, legislative, enforcement, or management activities. Mr. Heins retired in 2017 following 29 years of employment with the New York Department of Environmental Conservation. Early in his career, he headed New York State’s artificial reef and fishing access programs. During his last 11 years at DEC, he served as the Chief of Marine Fisheries and coordinator of finfish and crustacean programs. In this role, he also served as the department’s designee to the Mid-Atlantic Council. After his retirement, Mr. Heins was appointed to New York’s obligatory seat on the Council and served for one additional term. Throughout his 14-year tenure on the Council, Mr. Heins contributed a wealth of knowledge and experience for every MAFMC-managed species as well as NEFMC-managed species such as groundfish. Mr. Heins has a B.S. in Marine Science from Southampton College and an M.S. in Marine Environmental Science from the State University of New York. He proudly served in the U.S. Marine Corps. He is an avid recreational angler.

Next Meeting

The next Council meeting will be held **December 12-15, 2022 in Annapolis, Maryland**. A complete list of upcoming meetings can be found at <https://www.mafmc.org/council-events>.